

IC 12-16-7.5

Chapter 7.5. Hospital Care for the Indigent; Cost of Care and Payment

IC 12-16-7.5-1

Payment of reasonable costs of medical care and transportation

Sec. 1. The division shall pay the following, subject to the limitations in section 5 of this chapter:

- (1) The reasonable cost of medical care covered under IC 12-16-3.5-1 or IC 12-16-3.5-2.
- (2) The reasonable cost of transportation to the place of treatment arising out of the medical care.

As added by P.L.120-2002, SEC.23. Amended by P.L.255-2003, SEC.35.

IC 12-16-7.5-2 Repealed

(Repealed by P.L.255-2003, SEC.55.)

IC 12-16-7.5-2.5

Segregation of payable claims by fiscal year; division determination of amount of payment

Sec. 2.5. (a) Payable claims shall be segregated by state fiscal year.

(b) For purposes of this chapter, IC 12-15-15-9, IC 12-15-15-9.5, and IC 12-16-14:

- (1) a "payable claim" is a claim for payment for physician care, hospital care, or transportation services under this chapter:
 - (A) that includes, on forms prescribed by the division, all the information required for timely payment;
 - (B) that is for a period during which the person is determined to be financially and medically eligible for the hospital care for the indigent program; and
 - (C) for which the payment amounts for the care and services are determined by the division; and
- (2) a physician, hospital, or transportation provider that submits a payable claim to the division is considered to have submitted the payable claim during the state fiscal year during which the division determined, initially or upon appeal, the amount to pay for the care and services comprising the payable claim.

(c) The division shall promptly determine the amount to pay for the care and services comprising a payable claim.

As added by P.L.255-2003, SEC.36.

IC 12-16-7.5-3

Warrant on fund; payment

Sec. 3. (a) A payment made to a physician or a transportation provider under this chapter must be on a warrant drawn on the state hospital care for the indigent fund established by IC 12-16-14.

(b) A payment made to a hospital under this chapter shall be made under IC 12-15-15-9 and IC 12-15-15-9.5.

As added by P.L.120-2002, SEC.23. Amended by P.L.255-2003, SEC.37.

IC 12-16-7.5-4

Repealed

(Repealed by P.L.255-2003, SEC.55.)

IC 12-16-7.5-4.5

Calculation and allocation of funds available for payments from the state and county hospital care for the indigent funds

Sec. 4.5. (a) Not later than October 31 following the end of each state fiscal year, the division shall:

(1) calculate for each county the total amount of payable claims submitted to the division during the state fiscal year attributed to:

(A) patients who were residents of the county; and

(B) patients:

(i) who were not residents of Indiana;

(ii) whose state of residence could not be determined by the division; and

(iii) who were residents of Indiana but whose county of residence in Indiana could not be determined by the division;

and whose medical condition that necessitated the care or service occurred in the county;

(2) notify each county of the amount of payable claims attributed to the county under the calculation made under subdivision (1); and

(3) with respect to payable claims attributed to a county under subdivision (1):

(A) calculate the total amount of payable claims submitted during the state fiscal year for:

(i) each hospital;

(ii) each physician; and

(iii) each transportation provider; and

(B) determine the amount of each payable claim for each hospital, physician, and transportation provider listed in clause (A).

(b) Before November 1 following the end of a state fiscal year, the division shall allocate the funds transferred from a county's hospital care for the indigent fund to the state hospital care for the indigent fund under IC 12-16-14 during or for the state fiscal year as required under the following STEPS:

STEP ONE: Determine the total amount of funds transferred from a county's hospital care for the indigent fund by the county to the state hospital care for the indigent fund under IC 12-16-14 during or for the state fiscal year.

STEP TWO: Of the total amount of payable claims submitted to the division during the state fiscal year attributed to the county under subsection (a), determine the amount of total

hospital payable claims, total physician payable claims, and total transportation provider payable claims. Of the amounts determined for physicians and transportation providers, calculate the sum of those amounts as a percentage of an amount equal to the sum of the total payable physician claims and total payable transportation provider claims attributed to all the counties submitted to the division during the state fiscal year.

STEP THREE: Multiply three million dollars (\$3,000,000) by the percentage calculated under STEP TWO.

STEP FOUR: Transfer to the Medicaid indigent care trust fund for purposes of IC 12-15-20-2(8)(D) an amount equal to the amount calculated under STEP ONE, minus an amount equal to the amount calculated under STEP THREE.

STEP FIVE: The division shall retain an amount equal to the amount remaining in the state hospital care for the indigent fund after the transfer in STEP FOUR for purposes of making payments under section 5 of this chapter.

(c) The costs of administering the hospital care for the indigent program, including the processing of claims, shall be paid from the funds transferred to the state hospital care for the indigent fund.

As added by P.L.255-2003, SEC.38.

IC 12-16-7.5-5

Pro rata payments to physicians and transportation providers; limitation

Sec. 5. Before December 15 following the end of each state fiscal year, the division shall, from the amounts combined from the counties' hospital care for the indigent funds and retained under section 4.5(b) STEP FIVE of this chapter, pay each physician and transportation provider a pro rata part of that amount. The total payments available under this section may not exceed three million dollars (\$3,000,000).

As added by P.L.120-2002, SEC.23. Amended by P.L.255-2003, SEC.39.

IC 12-16-7.5-6

Repealed

(Repealed by P.L.255-2003, SEC.55.)

IC 12-16-7.5-7

Responsibility for the payment of hospital care; limitations

Sec. 7. The division is not responsible under the hospital care for the indigent program for the payment of any part of the costs of providing care in a hospital to an individual who is not either of the following:

(1) A citizen of the United States.

(2) A lawfully admitted alien.

As added by P.L.120-2002, SEC.23. Amended by P.L.255-2003, SEC.40.

IC 12-16-7.5-8**No liability for cost of care provided to patient described in specified rules**

Sec. 8. The division is not liable for any part of the cost of care provided to an individual who has been determined to be a patient described in the rules adopted under IC 12-16-10.5.

As added by P.L.120-2002, SEC.23. Amended by P.L.255-2003, SEC.41.

IC 12-16-7.5-9**Applicability of certain statutes before January 1, 1987; limitations**

Sec. 9. IC 12-16-2.5 through IC 12-16-16.5 does not affect the liability of a county with respect to claims for hospital care for the indigent for patients admitted before January 1, 1987.

As added by P.L.120-2002, SEC.23.

IC 12-16-7.5-10**Estimated cost savings for each fiscal year resulting from providing Medicaid to certain individuals; transfer of savings to state general fund**

Sec. 10. (a) The budget agency shall estimate for each fiscal year the cost savings to the state hospital care for the indigent fund as the result of the provision of Medicaid to an individual described in IC 12-15-2-12 and IC 12-15-2-13.

(b) The budget agency shall recommend to the general assembly each fiscal year that an amount equal to the cost savings be transferred from the state hospital care for the indigent fund to the state general fund.

As added by P.L.120-2002, SEC.23.

IC 12-16-7.5-11**Repealed**

(Repealed by P.L.255-2003, SEC.55.)

IC 12-16-7.5-12**Agreement to accept payment as payment in full**

Sec. 12. All providers receiving payment under this chapter agree to accept, as payment in full, the amount paid for the hospital care for the indigent program for those claims submitted for payment under the program, with the exception of authorized deductibles, co-insurance, co-payment, or similar cost-sharing charges.

As added by P.L.120-2002, SEC.23.

IC 12-16-7.5-13**Repealed**

(Repealed by P.L.255-2003, SEC.55.)